

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

DWIGHT MALLOY, on behalf of himself
and all others similarly situated;

Plaintiffs,

vs.

AMAZON.COM SERVICES LLC,

Defendant.

Case No. 2:22-cv-00286-ART-VCF

ORDER APPROVING

**STIPULATION AS TO BRIEFING
SCHEDULE ON DEFENDANT'S MOTION
FOR CERTIFICATION OF
INTERLOCUTORY APPEAL (ECF NO. 34)**

[FIRST REQUEST]

Plaintiff DWIGHT MALLOY ("Plaintiff") and Defendant AMAZON.COM SERVICES LLC ("Amazon") ("Defendant"), by and through their counsel of record, hereby stipulate to the following briefing schedule on Defendant's Motion for Certification of Interlocutory Appeal under 28 U.S.C. § 1292(b), or in the alternative, Motion to Certify Questions to the Nevada Supreme Court. [ECF No. 34].

On March 2, 2023, the Court held oral argument on Amazon's Motion to Dismiss the Plaintiff's First Amended Complaint. After hearing the arguments from the Parties, the Court denied Amazon's

1 Motion to Dismiss. [ECF No. 30]

2 On April 3, 2023, Amazon filed its Motion for Certification of Interlocutory Appeal regarding
3 the denial of its Motion to Dismiss. [ECF No. 34].

4 Afterwards, the Parties conferred and agreed to the following briefing schedule, extending both
5 the Response and Reply deadlines by two weeks:

- 6 • Plaintiff's Response to Amazon's Motion for Interlocutory Appeal shall be due by May 1,
7 2023;
- 8 • Amazon's Reply in Support of Amazon's Motion for Interlocutory Appeal shall be due by
9 May 22, 2023.

10 This extension is requested and sought prior to the expiration of the deadlines in question and is needed
11 to accommodate counsels' heavy workloads. This is the first extension requested related to these
12 deadlines. The Parties agree and represent to the Court that this request is made in good faith and not
13 for the purpose of delay. The Parties respectfully ask that the Court sign this stipulation approving this
14 briefing schedule.

15 THEREFORE, IT IS HEREBY STIPULATED by and between Plaintiff and Defendant as
16 follows:

- 17 1. The deadline for Plaintiff to file his Response to Amazon's Motion for Interlocutory Appeal
18 [ECF No. 34] shall be May 1, 2023; and
- 19 2. The deadline for Amazon to file a Reply in Support of Amazon's Motion for Interlocutory
20 Appeal shall be due by May 22, 2023.

1 Dated: April 17, 2023

Dated: April 17, 2023

2 Respectfully submitted,

Respectfully submitted,

3
4 /s/ Don J. Foty

5 DON J. FOTY, ESQ.
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6
7 ESTHER C. RODRIGUEZ, ESQ.
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8 Attorneys for Plaintiff
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/s/ Amy L. Thompson

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Attorneys for Defendant
AMAZON.COM SERVICES LLC

10 **IT IS SO ORDERED.**

11 Dated: April 17, 2023

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14 Anne R. Traum
15 United States District Court Judge
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